

REMARKS

A check for \$65 for the fee for filing a Terminal Disclaimer pursuant to 37 C.F.R. §1.20(d) accompanies this response. Any fees that may be due in connection with the filing of this paper or with this application may be charged to Deposit Account No. 06-1050. If a Petition for Extension of time is needed, this paper is to be considered such Petition. A terminal disclaimer with respect to commonly owned U.S. Patent No. 6,733,979 is also filed herewith.

The specification is amended herein to update the priority document information. Thus, entry of this amendment either reduces the issues for appeal or places the case into condition for allowance. Accordingly, entry of the amendments is respectfully requested.

Claims 1-16 are presently pending in this application.

OBJECTION DIRECTED TO THE SPECIFICATION - INFORMALITY

The Office Action urges that the first paragraph of the specification, which provides priority information, requires updating. As amended herein, the paragraph has been updated to indicate that the '183 application issued as U.S. Patent No. 6,733,979, and that the '211 application is abandoned.

Applicant respectfully requests reconsideration and removal of this objection.

PROVISIONAL REJECTION OF CLAIMS 1-16 FOR OBVIOUSNESS-TYPE DOUBLE PATENTING

Claims 1-16 are rejected under the judicially created doctrine of obviousness-type double patenting over claims 3, 4, 14-19 and 28 of U.S. Patent No. 6,733,979. It is alleged in the Office Action that although the conflicting claims are not identical, they allegedly are not patently distinct.

While not necessarily agreeing with the propriety of this rejection, a Terminal Disclaimer is filed herewith with respect to U.S. Patent No. 6,733,979. Since this application is owned by the same entity as U.S. Patent No. 6,733,979, the terminal disclaimer filed by the undersigned on behalf of the owner in accord with 37 C.F.R. §1.321(b) and (c), should be effective in overcoming this basis for rejection.

Applicant respectfully submits that the rejections over this patent have been obviated. Therefore, the application is in condition for allowance.

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Applicant : Bruce A. Lessey
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Amendment After Final under 37 CFR §1.116

In view of the above, reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Stephanie Seidman', written over a horizontal line.

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